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ITW

July 12, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Serial No. 10/821,340
For: WIND ACTIVATED DECOY
Filed: April 9, 2004
Our Ref: C047553/0171507

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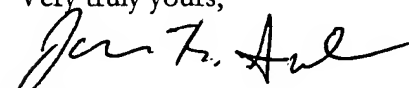
Sir:

Enclosed please find the following documents to be filed in connection with the above-identified application:

- 1) This Transmittal Letter;
- 2) Information Disclosure Statement Under Rule 1.56;
- 3) Form PTO/SB/08A;
- 4) Copies of 3 Canadian references; and
- 5) Return postcard

No fee is currently due. If it is determined that a fee is required, please charge any additional fees to Deposit Account No. 02-4467. Should you have any questions regarding the enclosed materials, please do not hesitate to contact us.

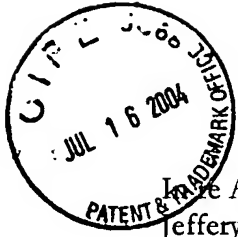
Very truly yours,


James B. Surber
Reg. No. 48,381

JBS/kh
Enclosures

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Los Angeles
New York
Phoenix
Riyadh
Shanghai
St. Louis
United Arab Emirates (Dubai)
Washington, DC

And Bryan Cave,
A Multinational Partnership,
London



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of:
Jeffery J. Fencel et al.

Serial No.: 10/821,340

)
)
) Examiner: Not Assigned

)
) Art Unit: Not yet assigned

Filed: April 9, 2004

For: WIND ACTIVATED DECOY

July 12, 2004

INFORMATION DISCLOSURE STATEMENT UNDER RULE 1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests that the enclosed documents be considered by the Examiner before issuance of the next action and made of record in this file. The Examiner is also asked to initial and return a copy of the enclosed PTO/SB/08A form(s) to evidence such consideration.

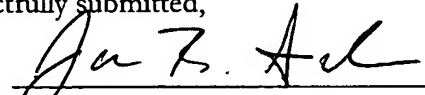
This Information Disclosure Statement is being filed in accordance with the following provisions:

- ☐ 37 CFR §1.97(b)(1). Within three months of the filing date of the national application. No fee is required.
- ☒ 37 CFR §1.97(b)(3). To the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits. No fee is required.
- ☐ 37 CFR §1.97(c) and (e). Before the mailing of a final action, notice of allowance or action that otherwise closes prosecution on the application and each item of information contained in the information disclosure statement was first cited in any communications from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. No fee is required.

If it is determined that a fee is required as set forth in 37 CFR §1.17(p) or §1.17(i)(1), or if any additional fees are required, please charge such fee to Deposit Account No. 02-4467.

Respectfully submitted,

By:



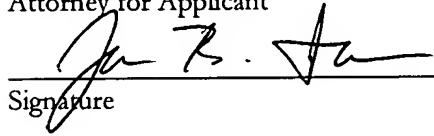
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

July 12, 2004

Date of Deposit

JAMES B. SURBER
Attorney for Applicant



Signature



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/821,340
Filing Date	April 9, 2004
First Named Inventor	Jeffery J. Fencel
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	C047553/0171507

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code2 (if known)			
	1	5,283,088		Alcom	02/01/1994	
	2	4,620,385		Carranza et al.	11/04/1986	
	3	6,092,323		McBride et al.	07/25/2000	
	4	6,484,431B2		Price, Sr., et al.	11/26/2002	
	5	6,449,894B1		Price, Sr., et al.	09/17/2002	
	6	US2002/0069572A1		Price, Sr., et al.	06/13/2002	
	7	US20020069571A1		Price, Sr., et al.	06/13/2002	
	8	6,547,904B1		Fencel et al.	06/10/2003	
	9	5,293,709		Cripe	03/15/1994	
	10	6,115,953		Wise	09/12/2000	
	11	3,707,798		Tryon	01/02/1973	
	12	6,082,036		Cripe	07/04/2000	
	13	6,634,132B2		Lorenz	10/21/2003	
	14	6,212,816B1		Babbitt et al.	04/10/2001	
	15	5,682,702		McKnight et al.	11/04/1997	
	16	5,572,823		Savaria	11/12/1996	
	17	4,845,872		Anderson	07/11/1989	
	18	4,821,444		Remus	4/18/1989	
	19	547,553		Keller	10/08/1895	
	20	6,508,028B1		Crowe	01/21/2003	
	21	6,493,980B1		Richardson et al.	12/17/2002	
	22	6,484,431B2		Price, Sr., et al.	11/26/2002	
	23	4,432,158		Nicholas	02/21/1984	
	24	6,170,188B1		Mathews	01/09/2001	
	25	6,092,323		McBride et al.	07/25/2000	
	26	2,441,753		Carpenter	05/18/1948	
	27	2,638,705		Petrasy	05/19/1953	
	28	4,620,385		Carranza et al.	11/04/1986	
	29	4,651,487		Nishikawa	03/24/1987	
	30	4,656,768		Thigpen	04/14/1987	
	31	5,003,722		Berkley, et al.	04/02/1991	
	32	5,144,764		Peterson	09/08/1992	
	33	5,283,088		Alcorn	02/01/1994	
	34	5,862,619		Stancil	01/26/1999	
	35	6,449,894B1		Price, Sr., et al.	09/17/2002	
	36	6,408,559B2		Mathews	06/25/2002	
	37	6,360,474B1		Wurlitzer	03/26/2002	
	38	6,339,894B1		Solomon	01/22/2002	
	39	6,250,565B1		Ogie, et al.	06/26/2001	
	40	6,216,382B1		Lindaman	04/17/2001	
	41	5,085,075		Baker	02/04/1992	
	42	507,381		Newton	10/24/1893	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	1	CA	2052585		Balmer	12/18/2001		
	2	CA	1050268		Snow	03/13/1979		
	3	CA	2177498		Dupuis	11/29/1997		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard (ST.3)). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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